EPA Finalizes Rule to Prohibit Former Asbestos Uses from Restarting

WASHINGTON–The U.S. Environmental Protection Agency (EPA) issued a final rule to ensure that discontinued, but not banned, uses of asbestos cannot restart without undergoing risk evaluation by the Agency and necessary restrictions taken.

"Today's important action prevents former asbestos uses not currently banned in the U.S. from unknowingly returning to the marketplace," said EPA Acting Administrator Andrew Wheeler.

"This TSCA action compliments the asbestos risk evaluation already underway for ongoing asbestos uses. Although that risk evaluation is not yet completed, today's action addressing former asbestos uses provides a valuable safeguard," said EPA Office of Chemical Safety and Pollution Prevention Assistant Administrator Alexandra Dapolito Dunn.

Today's final action, a so-called "significant new use rule," under TSCA section 5, will not impact asbestos uses already banned but would require any person who intends to restart the manufacture, import or processing of discontinued but not banned asbestos uses to notify EPA at least 90 days before commencing. Manufacturing (including importing) or processing of these former asbestos uses is prohibited until EPA conducts a thorough review of the notice, makes an appropriate determination, and takes such actions as are required in association with that determination, including prohibiting use.

EPA is separately conducting a risk evaluation for asbestos uses that are still ongoing in the U.S. In December of 2016, EPA designated asbestos as one of the first 10 chemical substances subject to the Agency's chemical risk evaluation rule. Once that risk evaluation is complete, EPA is able to restrict or ban ongoing asbestos uses, if unreasonable risk is found.

The former uses that are subject to the final significant new use rule include: adhesives, sealants, and roof and non-roof coatings; arc chutes; beater-add gaskets; cement products; extruded sealant tape and other tape; filler for acetylene cylinders; certain friction materials; high-grade electrical paper; millboard; missile liner; packings; pipeline wrap; reinforced plastics; roofing felt; separators in fuel cells and batteries; vinyl-asbestos floor tile; certain woven products; any other building material; and any other use of asbestos that is neither ongoing nor already prohibited under TSCA.

Once published, the final significant new use rule and supporting documents will be available in the Federal Register docket at: [HYPERLINK "https://www.regulations.gov/"] and by searching for EPA-HQ-OPPT-XXXX

Learn more about asbestos [HYPERLINK "http://www.epa.gov/asbestos"]

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